

<b>Committee:</b>	<b>THE STANDARDS COMMITTEE</b>
<b>Date:</b>	<b>8 November 2021</b>
<b>Title:</b>	<b>Allegations against members</b>
<b>Author:</b>	<b>Senior Solicitor (Corporate)</b>
<b>Purpose:</b>	<b>For information</b>

## 1. Background

The purpose of this report is to inform the Committee of the Ombudsman's decisions on formal complaints against members.

## 2. Decisions

We have received the following decisions from the Ombudsman since the last report.

<b>Complaint</b>	<b>Decision</b>
<p><b>Complaint No. 202002960</b></p> <p>The complaint related to comments on Facebook. The complainant believed they were homophobic with the intention of bullying an employee.</p>	<p>Following an investigation, the Ombudsman decided that no further action was required.</p> <p>As the member was not, in the Ombudsman's view, acting as a councillor at that time, he could only consider an allegation of bringing his office or authority into disrepute.</p> <p>The member denied that his comments were homophobic and the Ombudsman accepted that they could be interpreted differently. The member stated that he did not intend or expect to cause any offence, that he regretted his actions and was willing to apologise.</p> <p>As the comments were not sufficiently linked to his role as a councillor, and in light of the member's explanation for the comments and his acknowledgment that he should not have made them, it was not in the public interest to take any further action.</p>

<p><b>Complaint No. 202102802</b></p> <p>Complaint from a clerk about correspondence from a member concerning the arrangements for a council meeting.</p>	<p>No investigation.</p> <p>The member's comments about holding council meetings and the council's complaints processes were political in nature and therefore unlikely to breach the code.</p> <p>It did not appear to the Ombudsman that the member had attempted to bully the complainant.</p> <p>The contents of a specific email were not rude or in breach of the Code, but contacting the complainant given his situation at the time was unwise and he would remind the member that a member has some responsibility for the health and welfare of employees the council.</p>
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### 3. Analysis of the Complaints

Below is an analysis of this year's complaints (2021/22) where a decision has been received:

<b>Member who is subject of the complaint</b>	
Member of community council	4
Member of Gwynedd Council	1
Member of Gwynedd Council and community council	
<b>Nature of the complainant</b>	
Councillor	1
Member of the public	3
Officer	1
<b>Nature of the allegation</b>	
General conduct	5
Declaration of Interest	
Conduct & Declaration of Interest	
<b>Outcome</b>	
No Investigation	4
Investigation – No evidence of breaching the Code of Conduct	0
Investigation - No further steps required	1

### 4. Open Cases

4.1 The situation in relation to other cases is as follows:

- **Ombudsman considering whether to investigate** 1
- **Ombudsman investigating** 2
- **Referred to Standards Committee** 1
- **Referred to Adjudication Panel for Wales** 1

## **5. Recommendation**

5.1 The Committee is asked to note the information.